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Legitimation of Bastard by Father Married to Woman Not the Mother.—The father of an illegitimate child married a woman other than the mother, and sought to legitimize the child by adopting it into his family. To this arrangement the mother objected, asserting that she was entitled to the custody of her illegitimate child. Both parties appeared to be able to care for the subject of the controversy. In *Allison et al. v. Bryan*, 97 Pacific Reporter, 282, the Supreme Court of Oklahoma held that the primary question was the preparation of the infant to confront the world in his later life. If he remained by his mother's side the circumstances of his birth would be a blighting handicap to him, for which his mother's care would constitute no antidote. If he remained in his father's house, he would be surrounded by conditions which would relieve him entirely of stigma, and give him a standing and a place in society. Even though the mother objects, a father is entitled to the child's custody for the purpose of legitimation.

Liability of Insurer for Fires Caused by Earthquakes.—The property of the insured was consumed in a general conflagration in San Francisco which had its origin in the earthquake of 1906. The fire was started at several points in the city, and spread to the insured property. The policy provided that the company should not be liable for loss caused directly or indirectly by invasion, * * * or for loss or damage occasioned by or through any earthquakes. In *Williamsburgh City Fire Ins. Co. v. Willard*, 164 Federal Reporter, 404, the United States Circuit Court of Appeals held that although the words "directly or indirectly" applied to invasions, they could not be made to embrace earthquakes; "occasioned" was equivalent to "caused;" the phrase "by or through" was a mere repetition of words meaning the same thing; a loss indirectly caused by the progress of a fire from a distance, originally started by an earthquake, was without the exemption.

Musicians Are Servants.—The bankrupt in the case of *In re Caldwell*, 164 Federal Reporter, 515, had operated a roof garden. Petitioners, who were musicians, for a period of three months, had been drawing soft seductive melodies from their instruments, but in that time had been unable to draw anything else. They claimed to be servants, within the meaning of the federal bankruptcy act entitling them to priority of payment of their wages. The United States District Court held that a musician, employed by the month at regular wages, while not a "menial servant," is still one within the bankruptcy statute.